

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RALPH S. JANVEY, in his capacity as court-appointed receiver for the Stanford receivership estate; The OFFICIAL STANFORD INVESTORS COMMITTEE; PAM REED; SAMUEL TROICE; and MICHOCAN TRUST; individually and on behalf of a class of all others similarly situated,

Plaintiffs.

CIVIL ACTION NO. 3:12-cv-04641

VS.

GREENBERG TRAURIG, LLP;
HUNTON & WILLIAMS, LLP; and
YOLANDA SUAREZ,

Defendants.

**HUNTON & WILLIAMS LLP'S MOTION FOR LEAVE TO FILE
NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT
OF MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendant Hunton & Williams LLP (“Hunton”) respectfully submits this opposed motion for leave to file a short notice of supplemental authority (attached hereto as Exhibit A) in support of its Motion for Judgment on the Pleadings on Claims by Non-Clients (“Motion”) [ECF 207], to inform the Court of a recent decision, *LJH, LTD v. Jaffe*, No. 4:15-cv-00639-ALM, 2017 WL 447572 (E.D. Tex. Feb. 2, 2017), bearing on the parties’ arguments in that Motion. In support of this motion for leave, which Plaintiffs oppose, Hunton states as follows:

1. On July 15, 2016, Hunton filed its Motion. Class Plaintiffs filed an opposition to that motion on August 5, 2016. Class Plaintiffs' Response to Hunton & Williams LLP's Motion for Judgment on the Pleadings ("Opposition") [ECF 214]. Hunton filed its reply on September 2,

2016. Hunton's Reply in Support of its Motion for Judgment on the Pleadings On Claims by Non-Clients ("Reply") [ECF 217]. That motion is fully briefed and awaiting decision by this Court.

2. In the briefing on its Motion, Hunton showed that attorney immunity applies to claims from non-clients regardless of whether the alleged attorney conduct that forms the basis of Plaintiffs' claims occurred in the context of litigation or other legal services. *See* Motion 16-18 (no basis for restricting attorney immunity to litigation); Reply 2-5 (immunity is not limited to litigation). Plaintiffs took the opposite position. *See* Opp. 3-5 (arguing that attorney immunity does not extend beyond litigation).

3. In the briefing on its Motion, Hunton also showed that attorney immunity applies because Plaintiffs' claims are based entirely on Hunton's alleged conduct within the scope of its previous legal representation of the Stanford entities. *See* Motion 11-13; Reply 2.

4. As discussed more fully in the attached proposed notice, the United States District Court for the Eastern District of Texas recently decided *Jaffe*, which supports Hunton's arguments on these points. This decision was not available to the parties during briefing on Hunton's Motion.

5. On February 7, 2017, one of Hunton's attorneys, Jeffrey D. Colman, emailed Plaintiffs' counsel, Edward Snyder, to ask if Plaintiffs would consent to the relief sought in this motion. On February 8, 2017, Mr. Snyder emailed Mr. Colman and informed him that Plaintiffs oppose this motion.

WHEREFORE, Hunton respectfully requests that the Court enter an order granting Hunton leave to file the attached short notice of supplemental authority in support of its Motion for

Judgment on the Pleadings on Claims by Non-Clients, to address the Feb. 2, 2017 Eastern District of Texas decision in *LJH, LTD v. Jaffe*.

Dated: February 9, 2017

Respectfully submitted,

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Counsel for Hunton & Williams LLP
Admitted Pro Hac Vice

CERTIFICATE OF CONFERENCE

I, Jeffrey D. Colman, hereby certify that on February 7, 2017, I sent an email to Edward Snyder, counsel for Plaintiffs, regarding the relief requested in the foregoing motion. In a return email on February 8, 2017, Mr. Snyder indicated that Plaintiffs oppose Hunton's motion.

/s/ Jeffrey D. Colman
JEFFREY D. COLMAN

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2017, I electronically filed the foregoing **Hunton & Williams LLP's Motion for Leave to File Notice of Supplemental Authority in Support of Motion for Judgment on the Pleadings** with the clerk of the U.S. District Court, Northern District of Texas, using the electronic case filing (ECF) system of the court. The ECF system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this notice as service of this document by electronic means.

s/ Jeffrey D. Colman
JEFFREY D. COLMAN